



**LOUIS J. PERRET**  
Clerk of Court, Lafayette Parish  
P. O. BOX 2009  
LAFAYETTE, LA 70502  
Telephone: (337) 291-6400

**FEBRUARY 2, 2016**

**WILLIAM W GOODELL**  
PO BOX 52663  
LAFAYETTE, LA 70505-2663

RE:           **SALVATION ARMY, ET AL**  
                  VS  
                  UNION PACIFIC RAILROAD CO, ET AL  
DOCKET NUMBER: C-20160548 F

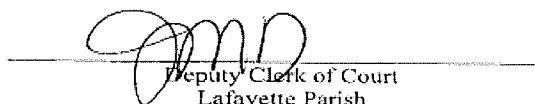
Dear Sir or Madam:

In accordance with L.A.R.S. 13:4688, when a suit has been filed in State District Court for damages arising from an offense or quasi-offense, you are required to complete attached reporting form from the Supreme Court of Louisiana.

Please return the attached reporting form immediately to the Lafayette Parish Clerk of Court Office for further processing.

Should you have any questions concerning this matter, please do not hesitate to contact us.

Sincerely,

  
\_\_\_\_\_  
JMD  
Deputy Clerk of Court  
Lafayette Parish



D41276296

cc\_jmdaugereau

Ordered by Atty.: WILLIAM W. GOODELL, JR.

## CITATION

SALVATION ARMY, ET AL

FIFTEENTH JUDICIAL DISTRICT COURT

VS

DOCKET NUMBER: C-20160548 F

UNION PACIFIC RAILROAD CO, ET AL

PARISH OF LAFAYETTE, LOUISIANA

---

STATE OF LOUISIANA

TO: UNION PACIFIC RAILROAD COMPANY  
THROUGH ITS REGISTERED AGENT:  
C T CORPORATION SYSTEM  
3867 PLAZA TOWER DRIVE  
BATON ROUGE, LA 70816

of the Parish of E. Baton Rouge

You are hereby cited to comply with the demand contained in the petition, a certified copy of which accompanies this citation, (exclusive of exhibits). You should file an answer or other pleading to said petition in the office of the Clerk of the FIFTEENTH JUDICIAL DISTRICT COURT, in the Lafayette Parish Courthouse, LAFAYETTE, Louisiana, within fifteen (15) days after the service hereof. Alternatively, your failure to comply herewith will subject you to the penalty of entry of default judgment against you.

Witness the Honorable Judges of said Court, this FEBRUARY 2, 2016.



---

Deputy Clerk of Court  
Lafayette Parish

\*Attached are the following documents:  
PETITION FOR DAMAGES, EXHIBITS A-G

---

SHERIFF'S RETURN  
LAFAYETTE PARISH SHERIFF

DATE SERVED: \_\_\_\_\_, 20\_\_\_\_ TIME: \_\_\_\_\_  
SERVED: \_\_\_\_\_  
PERSONAL ( ) \_\_\_\_\_  
DOMICILIARY ( ) ON \_\_\_\_\_  
UNABLE TO LOCATE \_\_\_\_\_ MOVED ( ) \_\_\_\_\_ NO SUCH ADDRESS ( )  
OTHER REASON: \_\_\_\_\_  
RECEIVED TOO LATE FOR SERVICE ( )  
SERVICE OF WITHIN PAPERS  
COSTS FEE \$ \_\_\_\_\_ MILEAGE \$ \_\_\_\_\_ TOTAL \$ \_\_\_\_\_  
DEPUTY \_\_\_\_\_



D41276270

cc\_jmdaugereau

Ordered by Atty.: WILLIAM W. GOODELL, JR.

## CITATION

SALVATION ARMY, ET AL

FIFTEENTH JUDICIAL DISTRICT COURT

VS

DOCKET NUMBER: C-20160548 F

UNION PACIFIC RAILROAD CO, ET AL

PARISH OF LAFAYETTE, LOUISIANA

---

STATE OF LOUISIANA

TO: CONSOLIDATED COMPANIES, INC.  
THROUGH ITS REGISTERED AGENT:  
WINSLOW J. CHADWICK, JR.  
1 GALLERIA BLVD., SUITE 1512  
METAIRIE, LA 70001

of the Parish of Jefferson

You are hereby cited to comply with the demand contained in the petition, a certified copy of which accompanies this citation, (exclusive of exhibits). You should file an answer or other pleading to said petition in the office of the Clerk of the FIFTEENTH JUDICIAL DISTRICT COURT, in the Lafayette Parish Courthouse, LAFAYETTE, Louisiana, within fifteen (15) days after the service hereof. Alternatively, your failure to comply herewith will subject you to the penalty of entry of default judgment against you.

Witness the Honorable Judges of said Court, this FEBRUARY 2, 2016.

Deputy Clerk of Court  
Lafayette Parish

\*Attached are the following documents:  
PETITION FOR DAMAGES, EXHIBITS A-G

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SHERIFF'S RETURN  
LAFAYETTE PARISH SHERIFF

DATE SERVED: \_\_\_\_\_, 20\_\_\_\_ TIME: \_\_\_\_\_  
SERVED: \_\_\_\_\_  
PERSONAL ( ) \_\_\_\_\_  
DOMICILIARY ( ) ON \_\_\_\_\_  
UNABLE TO LOCATE \_\_\_\_\_ MOVED ( ) \_\_\_\_\_ NO SUCH ADDRESS ( )  
OTHER REASON: \_\_\_\_\_  
RECEIVED TOO LATE FOR SERVICE ( )  
SERVICE OF WITHIN PAPERS  
COSTS FEE \$ \_\_\_\_\_ MILEAGE \$ \_\_\_\_\_ TOTAL \$ \_\_\_\_\_  
DEPUTY \_\_\_\_\_



D41276288

cc\_jmduaugereau

Ordered by Atty.: WILLIAM W. GOODELL, JR.

## CITATION

SALVATION ARMY, ET AL

FIFTEENTH JUDICIAL DISTRICT COURT

VS

DOCKET NUMBER: C-20160548 F

UNION PACIFIC RAILROAD CO, ET AL

PARISH OF LAFAYETTE, LOUISIANA

---

STATE OF LOUISIANA

TO: SOUTHERN PACIFIC MOTOR TRUCKING COMPANY  
THROUGH ITS REGISTERED AGENT:  
C T CORPORATION SYSTEM  
3867 PLAZA TOWER DRIVE  
BATON ROUGE, LA 70816

of the Parish of E. Baton Rouge

You are hereby cited to comply with the demand contained in the petition, a certified copy of which accompanies this citation, (exclusive of exhibits). You should file an answer or other pleading to said petition in the office of the Clerk of the FIFTEENTH JUDICIAL DISTRICT COURT, in the Lafayette Parish Courthouse, LAFAYETTE, Louisiana, within fifteen (15) days after the service hereof. Alternatively, your failure to comply herewith will subject you to the penalty of entry of default judgment against you.

Witness the Honorable Judges of said Court, this FEBRUARY 2, 2016.



Deputy Clerk of Court  
Lafayette Parish

\*Attached are the following documents:  
PETITION FOR DAMAGES, EXHIBITS A-G

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SHERIFF'S RETURN  
LAFAYETTE PARISH SHERIFF

DATE SERVED: \_\_\_\_\_, 20\_\_\_\_ TIME: \_\_\_\_\_  
SERVED: \_\_\_\_\_  
PERSONAL ( ) \_\_\_\_\_  
DOMICILIARY ( ) ON \_\_\_\_\_  
UNABLE TO LOCATE \_\_\_\_\_ MOVED ( ) NO SUCH ADDRESS ( )  
OTHER REASON: \_\_\_\_\_  
RECEIVED TOO LATE FOR SERVICE ( )  
SERVICE OF WITHIN PAPERS  
COSTS FEE \$\_\_\_\_\_ MILEAGE \$\_\_\_\_\_ TOTAL \$\_\_\_\_\_  
DEPUTY \_\_\_\_\_

From Elizabeth A. Roche 1.504.881.1765 Wed Feb 17 15:10:37 2016 MST Page 2 of 8



365 Canal Street  
Suite 1170  
New Orleans, LA 70130

**FACSIMILE COVER SHEET**

Date: February 17, 2016

<b>TO:</b>	<b>FROM:</b>
Lafayette Parish Clerk of Court Honorable Louis J. Perret	Elizabeth Roché
<b>FAX NUMBER:</b>	<b>SENDER FAX NUMBER:</b>
(337) 291-6480	(504) 881-1765
<b>PHONE NUMBER:</b>	<b>SENDER PHONE NUMBER:</b>
(337) 291-6400	(504) 799-2845
<b>CC:</b>	<b>TOTAL NUMBER OF PAGES:</b>
Honorable David M. Smith Elena Arcos Pecoraro Steven J. Levine Cliff LaCour	7, including cover
<b>RE:</b>	
<i>Salvation Army, et al., v. Union Pacific Railroad Company, et al.</i> No. 2016-0548-F, 15 <sup>th</sup> Judicial District Court	
<b>MESSAGE:</b>	
Attached is Plaintiffs' <i>Ex Parte Motion to Preserve Evidence and For Motion</i> in the above-referenced matter.	

This facsimile is intended for the addressee(s) only and may contain privileged or confidential information. The information is intended only for the use of the individual(s) or entity(ies) named above. If you are not the intended recipient(s), you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for the return of the document(s).

From Elizabeth A. Roche 1.504.881.1765 Wed Feb 17 15:10:37 2016 MST Page 1 of 8  
1/3

**Fax recipient information**

**From:** Honorable Louis J. Perret Lafayette Parish Clerk of Court  
**Fax #:** 3372916480

**Fax sender information**

**From:** Elizabeth A. Roche  
**Fax #:** (504) 881-1765

**Sent:** Wed Feb 17 16:12:04 CST 2016  
**on:**

**Subject:** Salvation Army et al v Union Pacific Railroad Company et al  
2016-0548-F 15th JDC

**Message:**

Attached please find Plaintiffs' Ex Parte Motion to Preserve Evidence  
and For Notice

17  
February 16  
3:10 AM PST  
Shelley Z Pratt

From Elizabeth A. Roche 1.504.881.1765 Wed Feb 17 15:10:37 2016 MST Page 3 of 8



**burns  
charest  
llp**

Elizabeth Roche  
rroche@burnscharlest.com

February 17, 2016

Via Facsimile and Federal Express

Lafayette Parish Clerk of Court  
Honorable Louis J. Perret  
Post Office Box 2009  
800 South Buchanan Street  
Lafayette, LA 70501

Re: *Salvation Army, et al., v. Union Pacific Railroad Company, et al.*  
No. 2016-0548-F, 15<sup>th</sup> Judicial District Court, Lafayette Parish

Dear Sir or Madam:

Enclosed please find the original copy of *Plaintiff's Ex Parte Motion to Preserve Evidence and For Notice* and a proposed *Order* to be filed in the above-referenced matter. A duplicate of both the motion and the order is also included. A check for \$80.00 is enclosed to cover the filing costs associated with this motion.

Once Judge Smith has executed the order, please return a conformed copy of the motion and executed order to me in the enclosed self-addressed, stamped envelope for service pursuant to La. Code Civ.P. art. 1313(C).

Should you have any questions, please contact me at (504) 799-2845.

Kind regards,

BURNS CHAREST LLP

Elizabeth A. Roche

KAR/rer  
Enclosures

burns charest LLP | 365 canal street | suite 1170 | new orleans, louisiana 70130

From Elizabeth A. Roche 1.504.881.1765 Wed Feb 17 15:10:37 2016 MST Page 4 of 8

Page 2 of 2  
February 17, 2016  
Lafayette Parish Clerk of Court

cc: Honorable David M. Smith (via facsimile)  
Elena Arcos Pecoraro (via facsimile)  
Steven J. Levine (via facsimile)  
Cliff LaCour (via facsimile)  
C T Corporation System, Registered Agent for Union Pacific Railroad Company (via Federal Express)  
C T Corporation System, Registered Agent for Southern Pacific Motor Trucking Company (via  
Federal Express)  
Winslow J. Chadwick, Jr., Registered Agent for Consolidated Companies, Inc. (via Federal Express)

burns charest LLP | 365 canal street | suite 1170 | new orleans, louisiana 70130

From Elizabeth A. Roche 1.504.881.1765 Wed Feb 17 15:10:37 2016 MST Page 5 of 8



15th JUDICIAL DISTRICT COURT  
PARISH OF LAFAYETTE  
STATE OF LOUISIANA

DOCKET NO. 2016-0548-F

THE SALVATION ARMY, ET AL.

VERSUS

UNION PACIFIC RAILROAD COMPANY, ET AL.

FILED: \_\_\_\_\_

DEPUTY: \_\_\_\_\_

---

EX PARTE MOTION TO PRESERVE EVIDENCE AND FOR NOTICE

---

Now into Court, through undersigned counsel, come Plaintiffs, The Salvation Army, Barry J. Sallinger, and Cypress Street Properties, LLC, who move this Court for an order requiring the preservation of evidence and notice related to this matter. In support, Plaintiffs respectfully submit as follows:

1. Plaintiffs filed this lawsuit to address the environmental damage caused by Defendants' operations on the areas of the former Southern Pacific Railroad/Union Pacific Railroad rail yard operations within Lafayette, Louisiana (the "Facility"). These operations have impacted and threaten to impact Lafayette's drinking water supply, the Chicot Aquifer. Plaintiffs own immovable property on or near the former Facility and seek remediation, damages, declaratory judgment, and injunctive relief.
2. The activities complained of in the Petition for Damages began in the early 1900s. Certain documents believed to be in the possession of Defendants contain information regarding the environmental condition of the Facility.
3. These documents are relevant to Defendants' knowledge of those conditions, knowledge of the harmful nature of Defendants' actions and inactions, and knowledge of the actions and inactions that caused the complained of environmental conditions.
4. Document retention policies may be in place that allow for the periodic destruction or "purging" of documents that contain historic information about Defendants' knowledge of the damaging nature of their actions and inactions at and around the Facility.

From Elizabeth A. Roche 1.504.881.1765 Wed Feb 17 15:10:37 2016 MST Page 6 of 8

5. Plaintiffs are also concerned that Defendants may, without prior notice, go to Plaintiffs' property or the Facility and perform work that may alter, disguise, or destroy evidence of the environmental conditions threatening Plaintiffs' property.
6. The above-described evidence is crucial to Plaintiffs' case and must be preserved until Plaintiffs can secure its production and/or have an opportunity to participate in testing at or near the Facility.
7. Plaintiffs are not seeking to stop Defendants from cleaning up their own property. However, given the potential harm to the aquifer and decades of inaction by Defendants, Plaintiffs seek to ensure any cleanup activities protects the aquifer and the public welfare.
8. Unless an order to preserve such evidence is made immediately, evidence may be lost or destroyed prejudicing Plaintiffs.
9. Defendants will not be prejudiced by the immediate issue of an ex parte order preserving evidence.
10. The Plaintiffs have not made any previous ex parte motions to preserve evidence.

Wherefore, Plaintiffs respectfully request that an order preserving evidence and for notice related to this case be issued ex parte and immediately.

Respectfully submitted,



Elizabeth A. Roche (#31304)  
Korey A. Nelson (#30002)  
Burns Charest LLP  
365 Canal Street, Suite 1170  
New Orleans, Louisiana 70130  
T: 504.799.2845  
F: 504.881.1765  
E: eroche@burnschartest.com  
knelson@burnschartest.com

William W. Goodell, Jr. (#6129)  
The Goodell Law Firm  
Post Office Box 52663  
Lafayette, Louisiana 70505  
T: 337.412.2724  
E: bill@goodelllaw.com

Gordon Schoeffler (#29412)  
Post Office Box 4829  
Lafayette, Louisiana 70502

FILED THIS 17  
OF Feb 2016  
Deputy Clerk of Court  


From Elizabeth A. Roche 1.504.881.1765 Wed Feb 17 15:10:37 2016 MST Page 7 of 8

T: 337.232.8123  
F: 337.235.5629  
E: gschoeffler@josephjoy.com

Joseph R. Joy, III (#7575)  
Post Office Box 4929  
Lafayette, Louisiana 70502  
E: buzzjoy@josephyjoy.com

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing Ex Parte Motion to Preserve Evidence was served on all known counsel of record, or, if no counsel has appeared, by service on their registered agent or personal service, by electronic mail, facsimile, or by United States mail on this 17<sup>th</sup> day of February, 2016.



Elizabeth A. Roche

EX FILED THIS 17  
OF Feb. 2016  
Jf

Page 3 of 3

From Elizabeth A. Roche 1.504.881.1765 Wed Feb 17 15:10:37 2016 MST Page 8 of 8

15th JUDICIAL DISTRICT COURT  
PARISH OF LAFAYETTE  
STATE OF LOUISIANA

DOCKET NO. 2016-0548-F

THE SALVATION ARMY, ET AL.

VERSUS

UNION PACIFIC RAILROAD COMPANY, ET AL.

FILED: \_\_\_\_\_

DEPUTY: \_\_\_\_\_

ORDER

Considering the foregoing Ex Parte Motion to Preserve Evidence and for Notice,

IT IS HEREBY ORDERED that all documentary, physical, or other evidence related to Plaintiffs' properties or the areas of the former Southern Pacific Railroad/Union Pacific Railroad rail yard operations in Lafayette, Louisiana, and environmental impact therefrom, including any assessment of environmental contamination or the sources of potential contamination, shall be preserved and not destroyed or altered in any way.

IT IS FURTHER ORDERED that Defendants and any of their parents, subsidiaries, and affiliates that have this evidence in their possession shall preserve it until further notice from this court.

IT IS FURTHER ORDERED that no Defendant or its consultants, agents, or representatives shall perform any work, cleanup, or other activity on the Plaintiffs' property or the Facility without ten days' notice to Plaintiffs.

This done and signed this \_\_\_\_\_ of \_\_\_\_\_, 2016 in \_\_\_\_\_, Louisiana.

\_\_\_\_\_  
Honorable David M. Smith  
Judge, Division F  
15th Judicial District Court

Please return for service  
pursuant to La.Code Civ.P. art. 1313(C)



Elizabeth Roché  
rroche@burnscharest.com

February 17, 2016

Via Facsimile and Federal Express

Lafayette Parish Clerk of Court  
Honorable Louis J. Perret  
Post Office Box 2009  
800 South Buchanan Street  
Lafayette, LA 70501

Re: *Salvation Army, et al., v. Union Pacific Railroad Company, et al.*  
No. 2016-0548-F, 15<sup>th</sup> Judicial District Court, Lafayette Parish

2016 FEB 19 AM 9:58  
LA CLERK OF COURT  
CLERK'S OFFICE  
FAX

Dear Sir or Madam:

Enclosed please find the original copy of *Plaintiff's Ex Parte Motion to Preserve Evidence and For Notice* and a proposed *Order* to be filed in the above-referenced matter. A duplicate of both the motion and the order is also included. A check for \$80.00 is enclosed to cover the filing costs associated with this motion.

Once Judge Smith has executed the order, please return a conformed copy of the motion and executed order to me in the enclosed self-addressed, stamped envelope for service pursuant to La.Code Civ.P. art. 1313(C).

Should you have any questions, please contact me at (504) 799-2845.

Kind regards,

BURNS CHAREST LLP

A handwritten signature in black ink, appearing to read "Elizabeth A. Roché". It is placed over a horizontal line.

Elizabeth A. Roché

EAR/rcc  
Enclosures

burns charest LLP | 365 canal street | suite 1170 | new orleans, louisiana 70130

5/14/16  
Roché

Page 2 of 2  
February 17, 2016  
Lafayette Parish Clerk of Court

cc: Honorable David M. Smith (via facsimile)  
Elena Arcos Pecoraro (via facsimile)  
Steven J. Levine (via facsimile)  
Cliff LaCour (via facsimile)  
C T Corporation System, Registered Agent for Union Pacific Railroad Company (via Federal Express)  
C T Corporation System, Registered Agent for Southern Pacific Motor Trucking Company (via  
Federal Express)  
Winslow J. Chadwick, Jr., Registered Agent for Consolidated Companies, Inc. (via Federal Express)

burns charest LLP | 365 canal street | suite 1170 | new orleans, louisiana 70130



15th JUDICIAL DISTRICT COURT  
PARISH OF LAFAYETTE  
STATE OF LOUISIANA

DOCKET NO. 2016-0548-F

THE SALVATION ARMY, ET AL.

VERSUS

UNION PACIFIC RAILROAD COMPANY, ET AL.

FILED: \_\_\_\_\_

DEPUTY: \_\_\_\_\_

EX PARTE MOTION TO PRESERVE EVIDENCE AND FOR NOTICE

Now into Court, through undersigned counsel, come Plaintiffs, The Salvation Army, Barry J. Sallinger, and Cypress Street Properties, LLC, who move this Court for an order requiring the preservation of evidence and notice related to this matter. In support, Plaintiffs respectfully submit as follows:

1. Plaintiffs filed this lawsuit to address the environmental damage caused by Defendants' operations on the areas of the former Southern Pacific Railroad/Union Pacific Railroad rail yard operations within Lafayette, Louisiana (the "Facility"). These operations have impacted and threaten to impact Lafayette's drinking water supply, the Chicot Aquifer. Plaintiffs own immovable property on or near the former Facility and seek remediation, damages, declaratory judgment, and injunctive relief.
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5. Plaintiffs are also concerned that Defendants may, without prior notice, go to Plaintiffs' property or the Facility and perform work that may alter, disguise, or destroy evidence of the environmental conditions threatening Plaintiffs' property.
6. The above-described evidence is crucial to Plaintiffs' case and must be preserved until Plaintiffs can secure its production and/or have an opportunity to participate in testing at or near the Facility.
7. Plaintiffs are not seeking to stop Defendants from cleaning up their own property. However, given the potential harm to the aquifer and decades of inaction by Defendants, Plaintiffs seek to ensure any cleanup activities protects the aquifer and the public welfare.
8. Unless an order to preserve such evidence is made immediately, evidence may be lost or destroyed prejudicing Plaintiffs.
9. Defendants will not be prejudiced by the immediate issue of an ex parte order preserving evidence.
10. The Plaintiffs have not made any previous ex parte motions to preserve evidence.

Wherefore, Plaintiffs respectfully request that an order preserving evidence and for notice related to this case be issued ex parte and immediately.

Respectfully submitted,



Elizabeth A. Roché (#31304)  
Korey A. Nelson (#30002)  
Burns Charest LLP  
365 Canal Street, Suite 1170  
New Orleans, Louisiana 70130  
T: 504.799.2845  
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E: eroche@burnscharlest.com  
knelson@burnscharlest.com

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The Goodell Law Firm  
Post Office Box 52663  
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E: bill@goodelllaw.com

Gordon Schoeffler (#29412)  
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T: 337.232.8123  
F: 337.235.5629  
E: gschoeffler@josephjoy.com

Joseph R. Joy, III (#7575)  
Post Office Box 4929  
Lafayette, Louisiana 70502  
E: buzzyjoy@josephyjoy.com

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing Ex Parte Motion to Preserve Evidence was served on all known counsel of record, or, if no counsel has appeared, by service on their registered agent or personal service, by electronic mail, facsimile, or by United States mail on this 17<sup>th</sup> day of February, 2016.

  
Elizabeth A. Roché

19  
DAY OF  
Feb 19 2016  
Nora Johnson

Page 3 of 3

15th JUDICIAL DISTRICT COURT  
PARISH OF LAFAYETTE  
STATE OF LOUISIANA

DOCKET NO. 2016-0548-F

THE SALVATION ARMY, ET AL.

VERSUS

UNION PACIFIC RAILROAD COMPANY, ET AL.

FILED: \_\_\_\_\_

DEPUTY: \_\_\_\_\_

ORDER

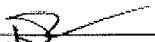
Considering the foregoing Ex Parte Motion to Preserve Evidence and for Notice,

IT IS HEREBY ORDERED that all documentary, physical, or other evidence related to Plaintiffs' properties or the areas of the former Southern Pacific Railroad/Union Pacific Railroad rail yard operations in Lafayette, Louisiana, and environmental impact therefrom, including any assessment of environmental contamination or the sources of potential contamination, shall be preserved and not destroyed or altered in any way.

IT IS FURTHER ORDERED that Defendants and any of their parents, subsidiaries, and affiliates that have this evidence in their possession shall preserve it until further notice from this court.

IT IS FURTHER ORDERED that no Defendant or its consultants, agents, or representatives shall perform any work, cleanup, or other activity on the Plaintiffs' property or the Facility without ten days' notice to Plaintiffs.

This done and signed this 29 of February, 2016 in  
Crowley, Louisiana.

  
Honorable David M. Smith  
Judge, Division F  
15th Judicial District Court

Please return for service  
pursuant to La.Code Clv.P. art. 1313(C)

3/14/2016  
DAY OF February, 2016  
Doris Wilson  
CLERK OF COURT

Page 1 of 1  
*oneek*

STATE OF LOUISIANA, PARISH OF LAFAYETTE  
I hereby certify that a certified copy of this  
judgment, order, and clerk's mail was mailed/served on all  
parties this 1 day of March, 2016.

Louis Gibson  
Deputy Clerk of Court

cc: Elizabeth Robbie  
Jeanne Joy, Jr.  
Donald Shoppert  
William Hodder Jr.  
Jeff LaCour



D41421181  
cc\_tellly

**LOUIS J. PERRET**  
Clerk of Court, Lafayette Parish  
P. O. BOX 2009  
LAFAYETTE, LA 70502  
Telephone: (337) 291-6400

**FEBRUARY 18, 2016**

**FACSIMILE TRANSMISSION RECEIPT**

RE: SALVATION ARMY, ET AL  
VS  
UNION PACIFIC RAILROAD CO, ET AL  
DOCKET NUMBER: C-20160548 F

DATE FASCIMILE RECEIVED: 02-17-2016  
DESCRIPTION OF PLEADING: M&O TO PRESERVE EVIDENCE AND FOR NOTICE  
FILED ON BEHALF OF: THE SALVATION ARMY, ET AL  
ATTORNEY: ELIZABETH ROCHE  
RECEIPT FAXED TO NUMBER: 504-881-1765

This is to acknowledge that the above described facsimile transmission was received and filed on the date shown above. In accordance with R.S. 13:850(B), the original must be received by our office within seven (7) days (exclusive of legal holidays) from the date the facsimile was received, along with a filing fee of **\$112.00** which includes a transmission fee of \$5.00. \*\*Please note that this amount does not reflect any money that you may have on deposit in this matter. It is strictly the amount that is needed to file the above faxed pleading.\*\*

**IF YOU HAVE ANY QUESTIONS REGARDING COURT COST IN THIS MATTER, PLEASE CONTACT THE COST DEPARTMENT AT (337) 291-6314.**

The Lafayette Parish Clerk of Court's office will not process from a facsimile filing. We will process from original documents only.

Receipt Acknowledged,

Deputy Clerk of Court  
Lafayette Parish

\* \* Transmit Confirmation Report \* \*

P1

Feb 18 2016 03:10pm

Sender: GUEST

TTI Number:

Destination	Type	Mode	Start Time	Time	Page	Note	Result	Details
915048811765	FAX	Fax	02/18 03:10pm	00'22"	1		#OK	



D41421181

cc\_tellily

LOUIS J. PERRET  
 Clerk of Court, Lafayette Parish  
 P. O. BOX 2009  
 LAFAYETTE, LA 70502  
 Telephone: (337) 291-6400

FEBRUARY 18, 2016

## FACSIMILE TRANSMISSION RECEIPT

RE: SALVATION ARMY, ET AL  
 VS  
 UNION PACIFIC RAILROAD CO, ET AL  
 DOCKET NUMBER: C-20160548 F

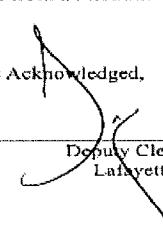
DATE FASCIMILE RECEIVED: 02-17-2016  
 DESCRIPTION OF PLEADING: M&O TO PRESERVE EVIDENCE AND FOR NOTICE  
 FILED ON BEHALF OF: THE SALVATION ARMY, ET AL  
 ATTORNEY: ELIZABETH ROCHE  
 RECEIPT FAXED TO NUMBER: 504-881-1765

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The Lafayette Parish Clerk of Court's office will not process from a facsimile filing. We will process from original documents only.

Receipt Acknowledged,


 Deputy Clerk of Court  
 Lafayette Parish

**NEUNER DATE**  
ATTORNEYS AT LAW



1200 Poydras Street, Suite 1000  
New Orleans, LA 70102-3100  
(504) 529-1000

P: 504 237 7000  
F: 504 233 9450

FRANK X. NEUNER, JR.  
JAMES L. DATE

BEN L. MAYEAUX

ROBERT E. TORIAN

JAMES G. HOLLIER

MELISSA L. THERIOT

KEVIN P. MERCHANT

JENNIFER PELLEGRIN

BRANDON W. LETULIER

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JEREMY N. MORROW

JEFF M. MESTAYER

PHILIP M. BOUDREAU, JR.

CLIFF A. LACOUR

JEFFREY K. CORBIN

SARA RODRIGUE BUGGS

JACLYN BRIDGES BACON

VICTORIA V. THERIOT

SETH T. MANSFIELD

CAROLYN C. COLE

R. GRAHAM ARNOLD

NICHOLAS G. JONES

QUINCY C. MOUTON

NEW ORLEANS OFFICE

1200 Poydras Street, Suite 1000  
New Orleans, LA 70102-3100

P: 504 309 6090

AS SO ADMITTED IN TEXAS

**RECEIVED**

Feb 25 2016

**FROM JUDGE**

cc: Via E-mail & U.S. Mail  
Mr. William W. Goodell  
Ms. Elizabeth A. Roche  
Mr. Gordon Schoeffier  
Mr. Joseph R. Joy, III

STAMPED COPY GIVEN

2016 FEB 23 AM 11:06  
LAW OFFICES OF NEUNER DATE  
1200 Poydras Street, Suite 1000  
New Orleans, LA 70102-3100  
504.529.1000

Sincerely,  
Cliff A. LaCour

CAL/lgd  
Enclosures

L  
B62



DOCKET NO. 2016-0548-F

THE SALVATION ARMY, BARRY J. SALLINGER, and CYPRESS STREET PROPERTIES, LLC  
Plaintiffs

VERSUS

UNION PACIFIC RAILROAD CO., CONSOLIDATED COMPANIES, INC., and SOUTHERN PACIFIC MOTOR TRUCKING COMPANY  
Defendants

15<sup>TH</sup> JUDICIAL DISTRICT COURT

PARISH OF LAFAYETTE

STATE OF LOUISIANA

**REQUEST FOR NOTICE OF DATE OF TRIAL, ETC.**

TO THE CLERK OF COURT of the 15th Judicial District Court in and for the Parish of Lafayette, Louisiana:

Please take notice that NEUNERPATE, attorneys for defendant, Consolidated Companies, Inc., do hereby request written notice of hearings (whether on merits or otherwise), orders, judgments and interlocutory decrees, and any and all formal steps taken by the parties herein, the Judge or any member of Court, as provided in Louisiana Code of Civil Procedure of 1960, particularly Articles 1572, 1913 and 1914.

Respectfully Submitted:

NEUNERPATE

BY:

  
Cliff A. LeClerc #30581  
(CLaClerc@NeunerPate.com)  
Jeffery K. Coreil #32405  
(JCoreil@NeunerPate.com)  
1001 West Pinhook Road, Suite 200  
Lafayette, LA 70503  
Phone: (337) 237-7000  
Fax: (337) 233-9450

2016 FEB 23 AM 11:06

FILED THIS

DAY OF February, 2016  
Janee D. Doolittle  
Deputy Clerk of Court

ATTORNEYS FOR CONSOLIDATED COMPANIES, INC.



---

**CERTIFICATE OF SERVICE**

---

I hereby certify that a copy of the foregoing pleading has been served on all counsel of record via email and/or by placing a copy of same in the United States Mail, properly addressed and postage pre-paid.

Lafayette, Louisiana this 23rd day of February, 2016.

FILED THIS 23  
DAY OF February 20 16  
  
Deputy Clerk of Court

Ordered by Atty.: WILLIAM W. GOODELL, JR.

cc:jmdaugereau



## CITATION

SALVATION ARMY, ET AL

FIFTEENTH JUDICIAL DISTRICT COURT

VS

DOCKET NUMBER: C-20160548 F

UNION PACIFIC RAILROAD CO, ET AL

PARISH OF LAFAYETTE, LOUISIANA

STATE OF LOUISIANA

TO: SOUTHERN PACIFIC MOTOR TRUCKING COMPANY  
 THROUGH ITS REGISTERED AGENT:  
 C T CORPORATION SYSTEM  
 3867 PLAZA TOWER DRIVE  
 BATON ROUGE, LA 70816

RECEIVED  
FEB 12 2016  
L.B.R. SHERIFF'S OFFICE

of the Parish of E. Baton Rouge

You are hereby cited to comply with the demand contained in the petition, a certified copy of which accompanies this citation, (exclusive of exhibits). You should file an answer or other pleading to said petition in the office of the Clerk of the FIFTEENTH JUDICIAL DISTRICT COURT, in the Lafayette Parish Courthouse, LAFAYETTE, Louisiana, within fifteen (15) days after the service hereof. Alternatively, your failure to comply herewith will subject you to the penalty of entry of default judgment against you.

Witness the Honorable Judges of said Court, this FEBRUARY 2, 2016.

Deputy Clerk of Court  
Lafayette Parish

\*Attached are the following documents:  
**PETITION FOR DAMAGES, EXHIBITS A-G**

SHERIFF'S RETURN  
LAFAYETTE PARISH SHERIFF

DATE SERVED: \_\_\_\_\_, 20\_\_\_\_ TIME: \_\_\_\_\_  
 SERVED: \_\_\_\_\_  
 PERSONAL ( ) \_\_\_\_\_  
 DOMICILIARY ( ) ON \_\_\_\_\_  
 UNABLE TO LOCATE ( ) MOVED ( ) NO SUCH ADDRESS ( )  
 OTHER REASON: \_\_\_\_\_  
 RECEIVED TOO LATE FOR SERVICE ( )  
 SERVICE OF WITHIN PAPERS  
 COSTS FEE \$ \_\_\_\_\_ MILEAGE \$ \_\_\_\_\_ TOTAL \$ \_\_\_\_\_  
 DEPUTY \_\_\_\_\_

made service on the named party through the  
CT Corporation

FEB 15 2016  
 I am returning a copy of this document to  Brienna Beauregard  
  Alison Reed  
 Deputy Sheriff, Parish of East Baton Rouge, Louisiana

MMR

Lafayette Parish Clerk of Court  
Filed This Day:

FEB 14 2016

By

Ordered by Atty.: WILLIAM W. GOODELL, JR.

  
 21769168  
 cc\_jmdaugercue
**CITATION****SALVATION ARMY, ET AL****FIFTEENTH JUDICIAL DISTRICT COURT****VS****DOCKET NUMBER: C-20160548 F****UNION PACIFIC RAILROAD CO, ET AL****PARISH OF LAFAYETTE, LOUISIANA****STATE OF LOUISIANA**

**TO: UNION PACIFIC RAILROAD COMPANY  
 THROUGH ITS REGISTERED AGENT:  
 CT CORPORATION SYSTEM  
 3867 PLAZA TOWER DRIVE  
 BATON ROUGE, LA 70816**

**RECEIVED**  
 FEB 15 2016  
 E.B.K. SHERIFF'S OFFICE

of the Parish of E. Baton Rouge

You are hereby cited to comply with the demand contained in the petition, a certified copy of which accompanies this citation, (exclusive of exhibits). You should file an answer or other pleading to said petition in the office of the Clerk of the FIFTEENTH JUDICIAL DISTRICT COURT, in the Lafayette Parish Courthouse, LAFAYETTE, Louisiana, within fifteen (15) days after the service hereof. Alternatively, your failure to comply herewith will subject you to the penalty of entry of default judgment against you.

Witness the Honorable Judges of said Court, this FEBRUARY 2, 2016.

  
 Deputy Clerk of Court

Lafayette Parish

**\*Attached are the following documents:  
 PETITION FOR DAMAGES, EXHIBITS A-G**

**SHERIFF'S RETURN**  
**LAFAYETTE PARISH SHERIFF**

*1 made service on the named party through the  
 CT Corporation*

**DATE SERVED:** \_\_\_\_\_, 20\_\_\_\_ **TIME:** \_\_\_\_\_

**SERVED:** \_\_\_\_\_

**PERSONAL** ( )

**DOMICILIARY** ( ) **ON**

**UNABLE TO LOCATE** **MOVED** ( ) **NO SUCH ADDRESS** ( )

**OTHER REASON:** \_\_\_\_\_

**RECEIVED TOO LATE FOR SERVICE** ( )

**SERVICE OF WITHIN PAPERS**

**COSTS FEE \$** \_\_\_\_\_ **MILEAGE \$** \_\_\_\_\_ **TOTAL \$** \_\_\_\_\_

**DEPUTY** \_\_\_\_\_

*by tendering a copy of this document to  
 Jeannine Beuregard  Breanna Beuregard   
 Alison Reed   
 Deputy Sheriff, Parish of East Baton Rouge, Louisiana*

**FEB 15 2016**

*E. J. Ummons*

*Lafayette Parish Clerk of Court  
 Signed this Day*

**FEB 14 2016**

*By Clerk of Court*

Ordered by Atty.: WILLIAM W. GOODELL, JR.

41370750

cc\_jmduaugereau

## CITATION

11/17

SALVATION ARMY, ET AL.

FIFTEENTH JUDICIAL DISTRICT COURT

VS

DOCKET NUMBER: C-20160548 F

UNION PACIFIC RAILROAD CO, ET AL.

PARISH OF LAFAYETTE, LOUISIANA

12  
1050  
Any

STATE OF LOUISIANA

TO: CONSOLIDATED COMPANIES, INC.  
THROUGH ITS REGISTERED AGENT:  
WINSLOW J. CHADWICK, JR.  
1 GALLERIA BLVD., SUITE 1512  
METAIRIE, LA 70001

of the Parish of Jefferson

You are hereby cited to comply with the demand contained in the petition, a certified copy of which accompanies this citation, (exclusive of exhibits). You should file an answer or other pleading to said petition in the office of the Clerk of the FIFTEENTH JUDICIAL DISTRICT COURT, in the Lafayette Parish Courthouse, LAFAYETTE, Louisiana, within fifteen (15) days after the service hereof. Alternatively, your failure to comply herewith will subject you to the penalty of entry of default judgment against you.

Witness the Honorable Judges of said Court, this FEBRUARY 2, 2016.

  
Deputy Clerk of Court  
Lafayette Parish

\*Attached are the following documents:  
PETITION FOR DAMAGES, EXHIBITS A-G

### SHERIFF'S RETURN LAFAYETTE PARISH SHERIFF

DATE SERVED: \_\_\_\_\_, 20\_\_\_\_ TIME: \_\_\_\_\_  
SERVED: \_\_\_\_\_  
PERSONAL ( ) \_\_\_\_\_  
DOMICILIARY ( ) ON \_\_\_\_\_  
UNABLE TO LOCATE \_\_\_\_\_ MOVED ( ) NO SUCH ADDRESS ( )  
OTHER REASON: \_\_\_\_\_  
RECEIVED TOO LATE FOR SERVICE ( )  
SERVICE OF WITHIN PAPERS  
COSTS FEE \$ \_\_\_\_\_ MILEAGE \$ \_\_\_\_\_ TOTAL \$ \_\_\_\_\_  
DEPUTY \_\_\_\_\_

Lafayette Parish Clerk of Court  
Clerk's Office

FEB 26 2016

By Clerk of Court

DATE RECEIVED 2-16-16 DATE RETD 2-12-16  
DATE SERV'D 2-16-16  
X SERVICE AFFECTED OR REASON UNRELEVANT:  
PERSONAL ( ) DOMICILIARY ( )  
THRU / OTHER \_\_\_\_\_  
NOT AT THIS ADDRESS PER ( )  
UNABLE TO SERVE AFTER MAKING \_\_\_\_\_ ATTEMPTS  
ED. KNIGHT # 110577  
Deputy Sheriff of Jefferson Parish